

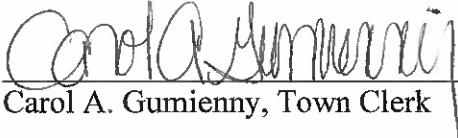
VERIFICATION OF TOWN CLERK

STATE OF NEW YORK)
) SS.
COUNTY OF SARATOGA)

I, **CAROL A. GUMIENNY**, the undersigned Clerk of the Town of Ballston, Saratoga County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on the 23rd day November, 2021, with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 29th day of November 2021.



Carol A. Gumienny, Town Clerk

SEAL:

RESOLUTION 21-308

**RESOLUTION AND DETERMINATION
ESTABLISHING CARPENTER'S ACRES SEWER DISTRICT
IN THE TOWN OF BALLSTON, COUNTY OF SARATOGA, STATE OF NEW YORK
PURSUANT TO ARTICLE 12 OF THE TOWN LAW OF THE STATE OF NEW YORK**

WHEREAS, a petition, pursuant to Article 12 of the Town Law, relating to the establishment of the Carpenter's Acres Sewer District in the Town of Ballston, County of Saratoga, State of New York, has heretofore been filed in the Town Clerk's Office; and

WHEREAS, a map, plan and report relating to the establishment of the proposed Carpenter's Acres Sewer District prepared by C. T. Male Associates, competent engineers, duly licensed by the State of New York, in manner and detail as required by Article 12 of the Town Law, has been filed with the Town Clerk of Ballston, in accordance with the requirements of the Town Law; and

WHEREAS, an order was adopted by the Town Board of the Town of Ballston reciting the filing of the map, improvements proposed, the estimated expense thereof, the proposed method of financing, the fact that the map, plan and report are on file in the Town Clerk's Office for public inspection, and all other matters required by law to be stated; and

WHEREAS, the order set October 29, 2019 at 7:00 p.m. at the Town of Ballston Town Hall, 323 Charlton Road, Ballston Spa, New York, as the date, time and place of the public meeting to consider the map, plan and report, and to hear all persons interested in the subject thereof, and to take such action as required and authorized by law; and

WHEREAS, such order was published and posted as required by law; and

WHEREAS, a hearing on the matter was held by the Town Board on the 29th day of October, 2019, beginning at 7:00 p.m. and the matter being duly discussed and all interested persons having been duly heard; and

WHEREAS, the Town Board did at that time resolve and determine to conclude and close the public hearing and to render a decision at a meeting of the Town Board conducted on the 8th day of September, 2020 at the Town of Ballston Town Hall; and

WHEREAS, the Town Board on September 8, 2020, approved the creation of the Carpenter's Acres Sewer District subject to the approval of the Office of the State Comptroller; and

WHEREAS, on November 18, 2021, the Office of the State Comptroller approved the creation of the Carpenter's Acres Sewer District at a cost not to exceed \$730,936.00; and

WHEREAS, the resolution of the Office of the State Comptroller approving the creation of the Carpenter's Acres Sewer District is attached hereto and made a part hereof as Exhibit A.

RESOLVED AND DETERMINED:

- (a) That the petition is signed and acknowledged or proved as required by law and complies with requirements of Town Law, Section 191 as to sufficiency of signers and is otherwise sufficient and notice of hearing was published and posted as required by law, and it is otherwise sufficient;
- (b) That all property and property owners within the proposed district are benefited thereby;
- (c) That all the property and property owners benefited are included within the limits of the proposed district;
- (d) That it is in the public interest to establish the Carpenter's Acres Sewer District;
- (e) That the first year cost of debt repayment for the typical properties within the District is \$670.95. Individual property owners will be responsible for purchasing, installing and maintaining the E/One pump system along with the service lateral. Once connected the typical property owner will be responsible for paying operation and maintenance expenses in the amount of \$287.50 for the first year of operation. Hookup fees to the resident property line is not included in the estimated maximum cost; and it is further

RESOLVED AND DETERMINED, that the establishment of the Carpenter's Acres Sewer District, as set forth in the map, plan and report, be approved and that the required improvements be constructed and the necessary easements and lands be acquired upon the required funds being made available and provided for, and such district shall be known and designated as the Carpenter's Acres Sewer District in the Town of Ballston, and shall be bounded and described as set forth on Exhibit "B" attached hereto; and it is further

RESOLVED AND DETERMINED, that the Town Clerk of the Town of Ballston shall, within ten (10) days after the adoption of this Resolution, file a certified copy thereof, in the Saratoga County Clerk's Office; and it is further

RESOLVED AND DETERMINED, that the maximum amount to be expended for said improvement and/or acquisition of necessary lands is the sum of Seven Hundred Thirty Thousand Nine Hundred Thirty-Six (\$730,936.00) Dollars; and it is further

RESOLVED AND DETERMINED, all costs of said improvements shall be financed by the issuance of obligations pursuant to the Local Finance Law and that the repayment of those obligations and payment for the full operation for typical properties within the District be done on a benefit basis.

NOW, upon motion of Councilperson Curtiss and seconded by Councilperson Jasinski,

The adoption of the foregoing order was duly put to a vote, and upon roll call, the vote was as follows:

	<u>AYES</u>	<u>NOES</u>
Supervisor Eric Connolly	<u>X</u>	_____
Councilperson John Antoski	<u>X</u>	_____
Councilperson Chuck Curtiss	<u>X</u>	_____
Councilperson Kelly Jasinski	<u>X</u>	_____
Councilperson Kelly Stewart	<u>X</u>	_____

Dated: November 23, 2021

EXHIBIT "A"

In the Matter
of the

Application of the Town Board of the Town of Ballston, Saratoga County, New York, for permission of the State Comptroller to establish Carpenter's Acres Sewer District in said town, pursuant to Article 12 of the Town Law.

WHEREAS, application has been duly made to the undersigned by the town board of the Town of Ballston, Saratoga County, New York, by its supervisor, pursuant to section 194 of the Town Law, for the permission of the State Comptroller to establish Carpenter's Acres Sewer District in said town in accordance with such application and a resolution of the town board adopted on September 8, 2020; and

WHEREAS, notice of such application to the State Comptroller has been duly given to the County Legislature of Saratoga County, New York, by the State Comptroller in the manner prescribed by section 194 of the Town Law; and

WHEREAS, the undersigned has duly examined such application,

NOW, THEREFORE, pursuant to such examination and upon such application of the town board of the Town of Ballston the undersigned does hereby find and determine after due deliberation:

- (1) That the public interest will be served by the establishment of Carpenter's Acres Sewer District in the Town of Ballston in accordance with such application.
- (2) That the cost of the proposed district will not be an undue burden upon the property that is to bear the cost thereof.

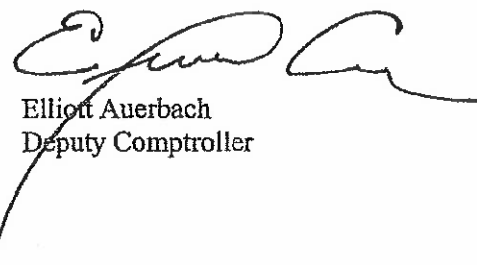
I, THOMAS P. DiNAPOLI, Comptroller of the State of New York, do hereby order that such application of the town board of the Town of Ballston for permission to establish

Carpenter's Acres Sewer District be, and the same hereby is, approved and I do hereby permit the establishment of said district in accordance with the description referred to in a resolution of September 8, 2020, at a cost not to exceed \$730,936.

Executed in duplicate by the Comptroller of the State of New York, this 18TH day of November, 2021.

THOMAS P. DiNAPOLI
State Comptroller

By

A handwritten signature in black ink, appearing to read 'Elliott Auerbach', written over a horizontal line.

Elliott Auerbach
Deputy Comptroller

EXHIBIT "B"

C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.

DESCRIPTION
CARPENTER'S ACRES SEWER DISTRICT
TOWN OF BALLSTON, COUNTY OF SARATOGA, STATE OF NEW YORK

All that certain tract, piece or parcel of land situate in the Town of Ballston, County of Saratoga, State of New York, and being more particularly bounded and described as follows:

BEGINNING at a point on the Northerly road boundary of Cindy Lane at its point of intersection with the division line between Lot 52 Cindy Lane on the East and Lot 51 Cindy Lane on the West as shown on a map entitled "Ballston Manor," Town of Ballston, Saratoga County, New York, prepared by Elliot & Thibault, dated February 20, 1973 and revised April 8, 1974 and filed in the Saratoga County Clerk's Office on April 26, 1974 in Drawer AAA as Map No. 36 and runs thence from said point of beginning along said division line North 01 deg. 48 min. 05 sec. East 194.18 feet to its point of intersection with the common division line between Lots 52 and 53 Cindy Lane "Ballston Manor" on the South and Tax Map Section 216.17 Block 1 Parcel 50 designated as Green Area on the North; thence South 88 deg. 11 min. 55 sec. East along the last mentioned common division line 216.77 feet to its point of intersection with the Northwesterly street boundary of Reita Street; thence along said Northwesterly street boundary in a Northeasterly direction 158± feet to its point of intersection with the common division line between Lots 62 and 54 Robert Drive "Ballston Manor" and Lots 61, 60, 59, 58, 57, 56, and 55 Robert Drive as shown on a map entitled "Ballston Manor Section 4," Town of Ballston, Saratoga County, New York, prepared by Elliot & Thibault, dated August 29, 1980 and filed in the Saratoga County Clerk's Office on

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February 2, 1981 in Drawer B as Map No. 93 on the North and Tax Map Section 216.17 Block 1 Parcel 50 on the South; thence North 88 deg. 45 min. 00 sec. West along the last mentioned common division line 919.17 feet to its point of intersection with the Easterly street boundary of Moonlight Drive; thence along said Easterly street boundary the following two (2) courses: 1) South 02 deg. 03 min. 05 sec. West 138.48 feet to a point of curvature; and 2) in a Southerly direction along a curve to the left having a radius of 515.00 feet, an arc length of 5.12 feet and a central angle of 00 deg. 34 min. 11 sec. to its point of intersection with the division line between Lot 46 Cindy Lane "Ballston Manor" on the South and said Tax Map Section 216.17 Block 1 Parcel 50 on the North; thence South 88 deg. 11 min. 55 sec. East along the last mentioned division line 148.42 feet to its point of intersection with the division line between Lot 46 Cindy Lane "Ballston Manor" on the West and Lot 47 Cindy Lane "Ballston Manor" on the East; thence South 01 deg. 48 min. 05 sec. West along the last mentioned division line 194.18 feet to its point of intersection with the Northerly street boundary of Cindy Lane; thence along said Northerly street boundary North 88 deg. 11 min. 55 sec. West 92.23 feet to a point; thence through and across Moonlight Drive on the extension of the Northerly street boundary of Cindy Lane 89± feet to its point of intersection with the division line between Lot 11 Moonlight Drive "Ballston Manor" on the North and Lot 10 Moonlight Drive "Ballston Manor" on the South; thence North 87 deg. 56 min. 55 sec. West along

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the last mentioned division line 236.07 feet to its point of intersection with the common division line between Lots 11, 12, 13, 14, 15, and 16 Moonlight Drive "Ballston Manor" on the East and Tax Map Section 228.05 Block 1 Parcel 79 on the West; thence North 02 deg. 03 min. 05 sec. East along the last mentioned common division line 584.29 feet to its point of intersection with the common division line between Lots 16 and 17 Moonlight Drive "Ballston Manor" and Tax Map Section 216.00 Block 1 Parcel 54.112 on the Southeast and Tax Map Section 216.00 Block 1 Parcel 54.2 lands now or formerly of Niagara Mohawk Power Corporation DBA National Grid on the Northwest; thence in a Northeasterly direction along said common division line 800± feet to its point of intersection with the division line between said Tax Map Section 216.00 Block 1 Parcel 54.112 on the South and Tax Map Section 216.00 Block 1 Parcel 54.111 on the North; thence in an Easterly direction along said division line 573± feet to its point of intersection with the division line between said Tax Map Section 216.00 Block 1 Parcel 54.112 on the Northwest and said Tax Map Section 216.00 Block 1 Parcel 54.111 on the Southeast; thence in a Southwesterly direction along said division line 498± feet to its point of intersection with the division line between said Tax Map Section 216.00 Block 1 Parcel 54.112 on the North and said Tax Map Section 216.00 Block 1 Parcel 54.111 on the South; thence in a Westerly direction along said division line 336± feet to its point of intersection with the division line between said Tax Map Section 216.00 Block 1 Parcel

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54.112 on the West and said Tax Map Section 216.00 Block 1 Parcel 54.111 on the East; thence in a Southerly direction along said division line 241± feet to its point of intersection with the Northerly road boundary of Robert Drive; thence along said Northerly road boundary in an Easterly direction 70± feet to its point of intersection with the division line between Lot 19 Robert Drive "Ballston Manor Section 4" on the East and said Tax Map Section 216.00 Block 1 Parcel 54.111 on the West; thence along the division line between Lot 19 Robert Drive "Ballston Manor Section 4" on the Northeast and East and said Tax Map Section 216.00 Block 1 Parcel 54.111 on the Southwest and West the following two (2) courses: 1) along a curve to the right having a radius of 25.00 feet, an arc length of 39.27 feet and a central angle of 90 deg. 00 min. 00 sec. to a point of tangency; and 2) North 01 deg. 15 min. 00 sec. East 175.00 feet to its point of intersection with the common division line between Lots 19, 20, 21, 22, 23, and 24 Robert Drive "Ballston Manor Section 4" and Lots 25 and 26 Robert Drive "Ballston Manor" on the South and said Tax Map Section 216.00 Block 1 Parcel 54.111 on the North; thence South 88 deg. 45 min. 00 sec. East along the last mentioned common division line 1,015.40 feet to its point of intersection with the common division line between Lots 27, 28 and 29 Reita Street "Ballston Manor" on the West and Tax Map Section 216.00 Block 1 Parcel 56 on the East; thence South 01 deg. 34 min. 15 sec. West along the last mentioned common division line 465.89 feet to its point of intersection

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with the common division line between Lots 34, 35, 36, and 37 Cindy Lane "Ballston Manor" on the South and said Tax Map Section 216.00 Block 1 Parcel 56 on the North; thence North 87 deg. 11 min. 35 sec. East along the last mentioned common division line 586.14 feet to its point of intersection with the common division line between Lots 37, 38, 39, and 40 Cindy Lane "Ballston Manor" on the West and Tax Map Section 216.00 Block 1 Parcel 43, Tax Map Section 216.00 Block 1 Parcel 65 and Tax Map Section 228.06 Block 1 Parcel 2.2 on the East; thence South 03 deg. 41 min. 45 sec. West along the last mentioned common division line 700.74 feet to its point of intersection with the common division line between Lots 40, 41, 42, and 43 Cindy Lane "Ballston Manor" on the North and said Tax Map Section 228.06 Block 1 Parcel 2.2, Tax Map Section 228.05 Block 1 Parcel 23, and Tax Map Section 228.05 Block 1 Parcel 22.2 on the South; thence North 88 deg. 11 min. 55 sec. West along the last mentioned common division line 580± feet to its point of intersection with the division line between Lot 43 Cindy Lane Tax Map Section 228.05 Block 1 Parcel 81 on the East and Tax Map Section 228.05 Block 1 Parcel 17.2 on the West; thence in a Northerly direction along said division line 50± feet to its point of intersection with the common division line between Lots 44 and 45 Cindy Lane "Ballston Manor" on the North and said Tax Map Section 228.08 Block 1 Parcel 17.2 on the South; thence North 88 deg. 11 min. 55 sec. West along the last mentioned common division line 230± feet to its point of intersection with the Easterly street

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boundary of Reita Street; thence through and across Reita Street on a projection of the last mentioned common division line 60± feet to a point on the Westerly street boundary of Reita Street at its point of intersection with the common division line between Lots 1 and 2 Cindy Lane "Ballston Manor" on the North and Tax Map Section 228.05 Block 1 Parcel 46 and Tax Map Section 228.05 Block 1 Parcel 47 on the South; thence North 88 deg. 11 min. 55 sec. West along the last mentioned common division line 220± feet to its point of intersection with the division line between said Lot 2 Cindy Lane "Ballston Manor" on the East and Lot 3 Cindy Lane "Ballston Manor" on the West; thence North 01 deg. 48 min. 05 sec. East along the last mentioned division line 200.00 feet to its point of intersection with the Southerly road boundary of Cindy Lane; thence through and across Cindy Lane in a Northerly direction 60± feet to the point or place of beginning.

November 6, 2019
WJN/amb/wjn/amb
C.T. Male Project No. 19.9020

